

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT COURT OF LOUISIANA**

**IN RE KATRINA CANAL BREACHES  
CONSOLIDATED LITIGATION**

\* **CIVIL ACTION**

\*

\* **NO. 05-4182**

\*

**PERTAINS TO: INSURANCE**

\* **JUDGE: DUVAL**

\*

**Master Consolidated Class Action Complaint  
(Rec. Doc. 3413)**

\* **SECTION: K**

\*

***Chehardy*, Nos. 05-1672, 05-1673, and 05-1674**

\* **MAG. JUDGE: WILKINSON**

\*

\* **MAG. NO.: 2**

\*

\*\*\*\*\*

**INSURER DEFENDANTS' MOTION TO SEVER**

**NOW INTO COURT**, comes Defendant Liaison Counsel, Ralph S. Hubbard III, who, on behalf of the insurer defendants in the Master Consolidated Class Action Insurance Complaint (Rec. Doc. 3413) ("Master Class Action") and the insurer defendants in *Chehardy, et al. v. State Farm, et al.*, Nos. 05-1672, 05-1673 and 05-1674 ("*Chehardy*"), move this Court for entry of an order requiring the plaintiffs in the Master Class Action and *Chehardy* suits file an individualized amended complaint by July 30, 2009, for each plaintiff or set of related plaintiffs asserting claims against only the insurer defendant having insured that particular plaintiff's property at the time of the loss made subject of the lawsuit.

**WHEREFORE**, the insurer defendants in the Master Class Action and the *Chehardy* suits pray that this Court enter an order requiring the plaintiffs in the Master Class Action and *Chehardy* suits file an individualized amended complaint by July 30, 2009, for each plaintiff or

set of related plaintiffs asserting claims against only the insurer defendant having insured that particular plaintiff's property at the time of the loss made subject of the lawsuit.

Respectfully submitted:

*/s/ Ralph S. Hubbard*

---

Ralph S. Hubbard, III (La. Bar No. 7040)  
LUGENBUHL, WHEATON, PECK,  
RANKIN & HUBBARD  
601 Poydras Street, Suite 2775  
New Orleans, Louisiana 70130  
Telephone: (504) 568-1990

**Insurer Defendants' Liaison Counsel**

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been served upon all counsel of record by electronic notice from the Court's CM/EC Filing System, this 1<sup>st</sup> day of July, 2009.

*/s/ Ralph S. Hubbard III*

---

Ralph S. Hubbard III